

CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation

Biweekly Report—Period Ending March 25, 2000

DRC Corp. v. DOC, GSBGA No. 14919-COM

GSBCA has denied DRC Corporation's Application for Attorneys Fees under the Equal Access to Justice Act. The Board found that the Government's position was substantially justified, and, further, that an award of attorneys fees would not be appropriate when, after a hearing on the merits, the plaintiff recovered only 21% of the amount it sought in the litigation. (Fred Kopatich & Amy Freeman-Pierce)

Participated in NTIA's Briefing to GAO Re: ICANN

We answered procurement questions regarding the sole-source contract issued to the Internet Corporation for Assigned Names and Numbers (ICANN), the successor to Internet Assigned Numbers Authority (IANA). Specifically, GAO questioned the consideration to the Government as the contract is at no-cost to the Government. Pursuant to the terms and conditions of the contract, ICANN will provide services to continue operation of the Internet functions formerly performed by IANA. In exchange, ICANN is given the opportunity to establish and collect fees from third parties for the functions performed under the contract. These fees are subject to Government approval. (Lisa J. Obayashi)

NDBC Technical Services Procurement

We traveled to NOAA's National Data Buoy Center to assist the Source Evaluation Board during oral presentations by the offerors remaining in the competitive range and with discussions with those offerors. Final Proposal Revisions are due on March 31st. (Fred Kopatich & Amy Freeman-Pierce)

Jeffersonville Security Guards

We are advising the CO on the procedures to be followed in demanding removal of the contractor's on-site supervisor due to alleged instances of sexual harassment against both contractor and Government employees. (Any Pierce & Mark Langstein)

NOAA Weather Wire

In response to the Program Office's request, we drafted a letter to NWWR contractor Dyncorp, setting forth NWS' position that the contract precludes Dyncorp from placing any restriction on its customers' right to resell or redistribute NWWR data. We also stated the Government's position that Dyncorp was obligated to

provide NWS, for public dissemination, the technical details of its C and Ku band interfaces so that other firms could compete with it in NWWR data redistribution. The letter will be discussed during a forthcoming partnering meeting with Dyncorp. (Mark Langstein & Amy Pierce)

NWS Operational Support Facility (OSF) Requirement

We have been asked to review the Consolidated Requirements and Acquisition Initiative, an internal planning document, for the National Weather Service's operational and technical support services requirement. NWS is planning to use the Department's COMMITS contract to fulfill a ten year requirement. Due to the five year duration of the COMMITS contract, we have raised legal concerns as to whether the NWS requirement can be met through COMMITS. (Lisa J. Obayashi)

GFDL Supercomputer

We finished our review of the latest draft of the Statement of Work. We intend to review the complete RFP package later this week. It has been approved for release by NOAA management, and should be released sometime this month. (Mark Langstein)

CLD "Time to Complete"—3.0 Days

Actions by Contract Law Division during Period from 03/12/2000 03/25/2000

Bureau	Received	Completed
BXA	1	1
CENSUS	1	1
NIST	6	6
NOAA	6	7
Totals	14	15

Contract Law Division—Client Workload
Period Ending 03/25/2000

